

Defendant.

NO. CV-10-3073-JPH

ORDER ADOPTING REPORT AND RECOMMENDATION

BEFORE THE COURT is the Report and Recommendation, ECF No. 20, to **grant** Plaintiff's motion for summary judgment (ECF No. 12) and **reverse** and **remand for further administrative proceedings**.

No objections have been filed.

Having reviewed the Report and Recommendation and the files and records herein, the Court adopts the magistrate judge's report and recommendation in its entirety.

IT IS ORDERED:

The recommendation, **ECF No. 20**, to grant Plaintiff's motion for summary judgment and REVERSE and REMAND for further administrative proceedings is **ADOPTED in its entirety**.

IT IS SO ORDERED. The District Court Executive is directed to enter this Order, enter judgment for Plaintiff, forward copies to the parties and Magistrate Judge Hutton, and close the file.

DATED this 5th day of November, 2011.

s/ Rosanna Malouf Peterson

CHIEF JUDGE ROSANNA MALOUF PETERSON
United States District Court